IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE V.RAMKUMAR

THURSDAY, THE 12TH APRIL 2007 / 22ND CHAITHRA 1929

Bail Appl..No. 2180 of 2007(S)

CC.1031/2004 of J.F.M.C.,ALATHUR

.....

(CRIME NO.103/2002 OF NEMMARA POLICE STATION)

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PETITIONERS/ACCUSED:

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1. SIVAN, S/O VASU, AGED 32 YEARS,
   THIRUTHAMPADAM, POTHUNDY, NEMMARA.

2. CHELLAPPAN, S/O ARUMUGHAN, AGED 24
   YEARS, PAZHAYA ROAD, DO. DO.

3. SASI, S/O DHANDAPANI, AGED 24 YEARS,
   THATTINPURAM, DO. DO.

4. SURESH, S/O VELAYUDHAN, AGED 28 YEARS,
   CHATTIYODE, DO. DO.

BY ADV. SRI.JOHNSON P.JOHN
SRI.BABY MATHEW

RESPONDENTS/ COMPLAINANTS:

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1. STATE OF KERALA, REPRESENTED BY THE
   PUBLIC PROSECUTOR, HIGH COURT OF KERALA,
   ERNAKULAM.

2. SUB INSPECTOR OF POLICE,
   NEMMARA POLICE STATION, PALAKKAD DISTRICT.

BY PUBLIC PROSECUTOR SRI.K.S.SIVAKUMAR

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 12/04/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

V. RAMKUMAR, J.

B.A. No. 2180 OF 2007 B

Dated this the 12th day of April, 2007

O R D E R

Petitioners, who are accused Nos.1 to 4 in Crime No.103/02 of Nemmara Police Station for offences punishable under sections 452, 323, 324 and 427 read with section 34 IPC, seek anticipatory bail.

2. Consequent on the non-appearance of the petitioners in C.C.No.1031/04 on the file of JFCM, Alathur, non-bailable warrants of arrest are pending against the petitioners.

3. Anticipatory bail cannot be granted to nullify the process issued by a court of competent jurisdiction. There is no reason why the petitioners should not surrender before the Magistrate concerned and seek regular bail. Accordingly, if the petitioners surrender before the Magistrate concerned and file an application for regular bail, within two weeks from today, the same shall be considered and disposed of, preferably on the same date on which it is filed, after examining the explanation offered by the petitioners for their previous non-appearance.

This application is disposed of as above.

(V. RAMKUMAR, JUDGE)

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